

REMARKS

In the Office Action¹, the Examiner rejected claims 27-36 under 35 U.S.C. §112, second paragraph; and rejected claims 1-91 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2002/0184610 to Chong et al. ("*Chong*").

I. Regarding the rejections of claims 27-36 under 35 U.S.C. §112, second paragraph

The Examiner rejected claims 27-36 under 35 U.S.C. §112, second paragraph and asserted that "[i]t cannot be determined whether the cited steps are instructions stored along with the structure to be executed or various steps that are performed by an entity separate from the stored structure wherein the entity accesses the stored structure for performance" (Office Action at page 2). Applicants respectfully traverse this rejection.

Claims 27-36 each recite a memory comprising a structure. The structure "define[s] a class file . . . packag[es] the files, assign[s] an icon . . . and associat[es] the icon with an activity . . .," as recited in claim 27. Independent claims 30-32 and 34 also recite a structure that accomplishes various steps. The structures themselves perform the claimed steps and there is no separate entity for performance. Claims 27-36 are not indefinite at least because the steps are performed by the claimed structure. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 27-36 under 35 U.S.C. §112, second paragraph.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

II. Regarding the rejections of claims 1-91 under 35 U.S.C. §102(e) as being anticipated by *Chong*

In order to qualify as prior art within the context of 35 U.S.C. § 102(e), the “disclosure relied on in the rejection must be present in the issued patent or application publication.” M.P.E.P. § 2136.02, 8th Ed. (Rev. 2), May 2004, p. 2100-97. Further, “[t]he 35 U.S.C. [§] 102(e) critical reference date of a U.S. patent or U.S. application publications ... [is] entitled to the benefit of the filing date of a provisional application ... *if the provisional application(s) properly supports the subject matter relied upon to make the rejection in compliance with 35 U.S.C. [§] 112, first paragraph.*” M.P.E.P. § 2136.03(III), p. 2100-99, italics added.

In this case, Applicants’ filing date of May 31, 2001 predates *Chong*’s filing date of January 18, 2002. *Chong*, however, claims priority to provisional application no. 60/263,574, filed January 22, 2001.

As M.P.E.P. § 2136.03(III) makes clear, the Examiner cannot rely on *Chong*’s priority date of January 22, 2001 to reject Applicants’ claims under 35 U.S.C. § 102(e) unless *Chong*’s provisional application no. 60/263,574 supports the invention as claimed in *Chong*. The Examiner states that “[t]he provisional application has been cited in the action and at least on page 41-42 the language used in the rejection is disclosed in the provisional application” (Office Action at page 16).

Applicants do not necessarily agree that the Examiner has shown proper support. However, assuming, *arguendo*, that *Chong*’s provisional application no. 60/263,574 does support the subject matter of *Chong*, Applicants respectfully traverses the rejection of claims 1-91 under 35 U.S.C. § 102(e) as anticipated by *Chong*.

In order to properly establish that *Chong* anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 recites a method including, for example:

receiving first data reflecting a class file;
receiving second data reflecting a data representation file;
packaging the first and second data; and
associating the packaged data with an activity that may be used in
an automated workflow process to access information
external to the process management system.

(emphasis added). *Chong* does not teach or suggest at least these elements of claim 1.

The Examiner cites paragraphs 431-434 of *Chong* as allegedly disclosing the claimed "first data" and "second data." This is not correct.

Chong discloses a component created by system 100 that comprises and interaction process module, back-end data adapters, presentation layer, etc. (paragraph 0431). This passage does not disclose the claimed "class file." *Chong* states that a class is "an encapsulated set of program statements and methods that specify the data and behavior of an object" (paragraph 0131). The components in *Chong* do not contain a "class file" at least because there is no file that contains an encapsulated set of program statements and methods that specify the data and behavior of an object.

Moreover, *Chong* merely discloses the contents of each component. *Chong* does not disclose creating an activity including receiving data. On the contrary, *Chong*

discloses an apparatus (component), and is silent as to the claimed steps. Thus, the step of receiving data is not inherent in *Chong*'s component. Therefore, *Chong* does not teach or suggest "receiving first data reflecting a class file," and "receiving second data reflecting a data representation file," as recited in claim 1.

The Examiner cites paragraphs 257, 258, and 262 of *Chong* as allegedly disclosing the claimed "associating the packaged data with an activity that may be used in an automated workflow process." Applicants respectfully disagree.

This passage discloses "a workflow diagram that visually represents the interaction flow" (paragraph 0257). A workflow editor 408 "allows application developers to globally view the application and to visually diagram the interaction flow of the application" (paragraph 0257). *Chong* states that a developer must "define the individual states," "construct a workflow diagram," and "create a transition 444 between two states . . . by selecting the transition tool 446 . . . [and] moving the cursor to the state that will be 'transitioned from' [and] . . . 'transitioned to'" (paragraph 0257 and 0262).

This passage does not teach or suggest that the components in *Chong* are associated with an activity. The workflow diagram "may include components" (paragraph 0259), but the workflow diagram does not teach the claimed "activity that may be used in an automated workflow process" at least because the workflow diagram cannot be both the claimed "activity" and the claimed "automated workflow process."

Chong discloses data adapters that "can interface with various internal and external data sources" (paragraph 0352). However, the data adapters do not contain the claimed "packaged data." Even assuming that the data adapters may access

external information, which Applicants do not concede, there is no teaching that the adapters receive the claimed “first data” and “second data.” The data adapters are not associated with the data contained in the components, therefore, any external access by the adapters does not contain the other steps recited in claim 1. Moreover, there is no teaching that the components in *Chong* access external information. Therefore, *Chong* does not teach or suggest “associating the packaged data with an activity that may be used in an automated workflow process to access information external to the process management system,” as recited in claim 1.

In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose the claimed “associating.” Moreover, the Examiner did not specify the passage in *Chong*’s provisional application that discloses “associating.” Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed “associating” is not taught in the cited portions of *Chong*’s provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail.

Accordingly, *Chong* cannot anticipate claim 1. Claims 2-11 depend from claim 1 and are thus also allowable over *Chong* for at least the same reasons as claim 1. Independent claims 27, 40, and 66, while of different scope, recite elements similar to those of claim 1 and are thus allowable over *Chong* for at least the same reasons discussed above with respect to claim 1. Claims 28, 29, 41-50, and 67-76 are also allowable at least due to their dependence from claims 27, 40, and 66, respectively.

Regarding the rejection of claim 12, *Chong* does not teach or suggest every element of claim 12. For example, claim 12 recites “defining a file associated with a

custom activity.” Nothing in the cited portions of *Chong* teach or suggest a “custom activity.” In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose the claimed “receiving.” Moreover, the Examiner did not specify the passage in *Chong*’s provisional application that discloses “receiving.” Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed “receiving” is not taught in the cited portions of *Chong*’s provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail.

Accordingly, *Chong* cannot anticipate claim 12. Claim 13 depends from claim 12 and is thus also allowable over *Chong* for at least the same reasons as claim 12. Independent claims 51 and 77, while of different scope, recite elements similar to those of claim 12 and are thus allowable over *Chong* for at least the same reasons discussed above with respect to claim 12. Claims 52 and 78 are also allowable at least due to their dependence from claims 51 and 77, respectively.

Regarding the rejection of claim 14, *Chong* does not teach or suggest every element of claim 14. For example, claim 14 recites “defining a model associated with the custom activity.” As previously stated, nothing in the cited portions of *Chong* teach or suggest a “custom activity.” Therefore, *Chong* cannot teach “defining a model associated with the custom activity,” as recited in claim 14.

In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose the claimed “defining.” Moreover, the Examiner did not specify the passage in *Chong*’s provisional application that discloses “defining.” Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed

“defining” is not taught in the cited portions of *Chong*’s provisional application.

Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail.

Accordingly, *Chong* cannot anticipate claim 14. Claims 15-19 depend from claim 14 and are thus also allowable over *Chong* for at least the same reasons as claim 14. Independent claims 53 and 79, while of different scope, recite elements similar to those of claim 14 and are thus allowable over *Chong* for at least the same reasons discussed above with respect to claim 14. Claims 54-58 and 80-84 are also allowable at least due to their dependence from claims 53 and 79, respectively.

Regarding the rejection of claim 20, *Chong* does not teach or suggest every element of claim 20. For example, claim 20 recites “creating an image reflecting a custom activity.” As previously stated, nothing in the cited portions of *Chong* teach or suggest a “custom activity.” Therefore, *Chong* cannot teach “creating an image reflecting a custom activity,” as recited in claim 20.

Moreover, claim 20 recites “invoking a class.” The cited portions of *Chong* are silent in regard to this feature. In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose the claimed “creating” or “invoking.” Moreover, the Examiner did not specify the passage in *Chong*’s provisional application that discloses “creating” or “invoking.” Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed “creating” or “invoking” is not taught in the cited portions of *Chong*’s provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail.

Accordingly, *Chong* cannot anticipate claim 20. Independent claims 59 and 85, while of different scope, recite elements similar to those of claim 20 and are thus allowable over *Chong* for at least the same reasons discussed above with respect to claim 20.

Regarding the rejection of claim 21, *Chong* does not teach or suggest every element of claim 21. For example, claim 21 recites “archiving the files in an archive file.” In addition, nothing in the cited portions of *Chong* teach or suggest a “custom activity.” Therefore, *Chong* cannot teach “archiving the files in an archive file such that when the custom activity is activated the archived files are accessed and executed,” as recited in claim 21.

The cited portions of *Chong* are silent in regard to this feature. In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose the claimed “archiving.” Moreover, the Examiner did not specify the passage in *Chong*’s provisional application that discloses “archiving.” Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed “archiving” is not taught in the cited portions of *Chong*’s provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail.

Accordingly, *Chong* cannot anticipate claim 21. Claims 22-26 depend from claim 21 and are thus also allowable over *Chong* for at least the same reasons as claim 21. Independent claims 39, 60 and 86, while of different scope, recite elements similar to those of claim 21 and are thus allowable over *Chong* for at least the same reasons discussed above with respect to claim 21. Claims 61-65 and 87-91 are also allowable at least due to their dependence from claims 60 and 86, respectively.

Regarding the rejection of claim 30, *Chong* does not teach or suggest every element of claim 30. For example, claim 30 recites “a first hashtable reflecting data values to be used as input argument in a method, and a second hashtable reflecting output arguments of the method.” The cited portions of *Chong* are silent in regard to this feature. In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose this feature, and the Examiner did not specify the passage in *Chong*’s provisional application that discloses this feature. Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed “first hashtable reflecting data values to be used as input argument in a method, and a second hashtable reflecting output arguments of the method” is not taught in the cited portions of *Chong*’s provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail. Accordingly, *Chong* cannot anticipate claim 30.

Regarding the rejection of claim 31, *Chong* does not teach or suggest every element of claim 31. For example, claim 31 recites “an input hashtable, mapping a value of a parameter associated with an output hashtable, and defining a user interface associated with a custom activity that performs a process based on the values of the parameters in the input and output hashtables.” The cited portions of *Chong* are silent in regard to these features. In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose these features, and the Examiner did not specify the passage in *Chong*’s provisional application that discloses these features. Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed “input hashtable, mapping a value of a parameter associated with

an output hashtable, and defining a user interface associated with a custom activity that performs a process based on the values of the parameters in the input and output hashtables” is not taught in the cited portions of *Chong*’s provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail. Accordingly, *Chong* cannot anticipate claim 31.

Regarding the rejection of claim 32, *Chong* does not teach or suggest every element of claim 32. As previously stated, *Chong* does not teach or suggest the claimed “input hashtable” and “output hashtable.” Moreover, *Chong* does not teach or suggest “specifying design tags that define a user interface associated with the custom activity,” as further recited in claim 32. In addition, the cited portions of *Chong*’s provisional application (page 41-42) do not disclose these features, and the Examiner did not specify the passage in *Chong*’s provisional application that discloses these features. Applicants submit that the passage in *Chong*’s patent publication that allegedly discloses the claimed “input hashtable,” “output hashtable,” and “specifying design tags that define a user interface associated with the custom activity,” is not taught in the cited portions of *Chong*’s provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail.

Accordingly, *Chong* cannot anticipate claim 32. Claim 33 depends from claim 32 and is thus also allowable over *Chong* for at least the same reasons as claim 32.

Regarding the rejection of claim 34, *Chong* does not teach or suggest every element of claim 34. As previously stated, *Chong* does not teach or suggest the claimed “custom activity.” Moreover, *Chong* does not teach or suggest “defining an init() method for defining initialization tasks associated with the custom activity, and

defining a perform() method for executing tasks associated with the custom activity," as further recited in claim 34.

The passages cited by the Examiner are directed to action and pre-action definitions for a state (paragraph 0227-0233). However, these definitions do not "defin[e] initialization tasks associated with the custom activity" or "execut[e] tasks associated with the custom activity."

In addition, the cited portions of *Chong's* provisional application (page 41-42) do not disclose these features, and the Examiner did not specify the passage in *Chong's* provisional application that discloses these features. Applicants submit that the passage in *Chong's* patent publication that allegedly discloses the claimed "custom activity" and "defining an init() method for defining initialization tasks associated with the custom activity, and defining a perform() method for executing tasks associated with the custom activity," is not taught in the cited portions of *Chong's* provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail.

Accordingly, *Chong* cannot anticipate claim 34. Claims 35 and 26 depend from claim 34 and are thus also allowable over *Chong* for at least the same reasons as claim 34.

Regarding the rejection of claims 37 and 38, *Chong* does not teach or suggest every element of these claims. *Chong* does not teach or suggest "a custom palette" and "an identifier associated with the customer palette," as recited in claim 37, and "receiv[ing] a request to generate a palette . . . and determin[ing] activation of the

custom activity based on a manipulations associated with the palette," as recited in claim 38.

In addition, the cited portions of *Chong's* provisional application (page 41-42) do not disclose these features, and the Examiner did not specify the passage in *Chong's* provisional application that discloses these features. Applicants submit that the passage in *Chong's* patent publication that allegedly discloses the claimed "custom palette," "identifier associated with the customer palette," and "receiv[ing] a request to generate a palette . . . and determin[ing] activation of the custom activity based on a manipulations associated with the palette," is not taught in the cited portions of *Chong's* provisional application. Therefore, the teachings relied upon by the Examiner are not prior art and the rejection must fail. Accordingly, *Chong* cannot anticipate claim 37 or claim 38.

III. Conclusion

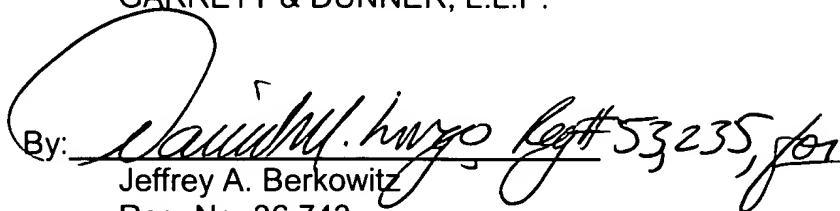
In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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